FAIRFIELD BOARD OF EDUCATION

MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION

# Tuesday, February 28, 2012

Minutes of the Regular Meeting of the Board of Education held Tuesday, February 28, 2012, at 501 Kings Highway East, 2nd Floor Board Conference Room.

1. Chairman Ms. Pamela Iacono called the Regular Meeting of the Board of Education to order at 6:02 p.m. Other Board members present were: Mrs. Sue Brand, Mr. Philip Dwyer, Mr. Paul Fattibene, Mrs. Jessica Gerber, Mr. Tim Kery, Mr. Perry Liu and Mrs. Jennifer Maxon Kennelly. Mr. John Convertito was absent. Also in attendance were Superintendent Dr. David Title and members of the administrative staff. Approximately 35 people comprised the remainder of the audience.

2. Ms. Iacono led the Board and audience in the Pledge of Allegiance.

3. Presentation

1. Presentation of Art Curriculum, Grades K-5

Ms. Barbara Pollock, Art Curriculum Coordinator, recognized the members of the Elementary Art Committee who worked on this curriculum. She gave a brief PowerPoint presentation highlighting the elementary art curriculum units. The units at each grade level are building blocks for the next grade. She briefly reviewed the various techniques that are learned in each grade level. There are unit objectives, skill objectives, assessments, resources and materials, technology resources and differentiated instruction. Historic and cultural connections have also been added. We are not just referring to cultural and historical connections, but we are also referring to connections made to the classroom curriculum. Art reinforces the learning that is happening in other subjects. All of the elementary schools have their own art shows, and there is a town-wide art show held at Fairfield University the day after Memorial Day.

Board questions and comments followed.

4. Approval of Minutes

A. Mrs. Brand moved seconded by Mr. Dwyer that the Board of Education approve the Minutes of the Special Meeting of January 17, 2012.

Motion carried: 7:0:1. Mr. Kery abstained.

1. Mrs. Gerber moved, seconded by Mr. Dwyer that the Board of Education approve the Minutes of the Special Meeting of January 19, 2012.

Mr. Liu commented on the content in the minutes and stated that there is not a lot of detail about what the Board’s opinions are and questions from the Board; and he thinks they need to capture more of the Board’s comments, questions and the diversity of differences because that is all part of the representation of this Board of Education and the transparency of our government.

Motion carried: 8:0:0.

1. Mrs. Brand moved, seconded by Mr. Kery that the Board of Education approve the Minutes of the Regular Meeting of January 24, 2012.

Motion carried: 8:0:0.

1. Mr. Kery moved, seconded by Mrs. Kennelly that the Board of Education approve the Minutes of the Special Meeting of February 8, 2012.

Motion carried: 7:0:1. Mr. Dwyer abstained.

5. Student/Committee/Liaison Reports-

Mr. Kery moved, seconded by Mrs. Gerber to waive the reading of the Reports since there is a discussion starting at the Board of Finance on $2 million of capital projects for this body.

Several Board members were not in favor of this motion since this is the only Board Meeting in February and the Reports were also waived at the last Board Meeting.

Motion failed: 3:5:0. Mr. Kery, Mr. Fattibene and Ms. Iacono voted in favor. Mrs. Kennelly, Mr. Liu, Mrs. Gerber, Mr. Dwyer and Mrs. Brand voted in opposition.

* Mrs. Brand reported on the Board of Health. The Town Medical Director Dr. McDonald and Nursing Supervisor Joanne Ryan addressed PTA Council and gave a presentation about the PCB issues in the school district. Dr. McDonald is also doing research into concussions and how that would impact school districts and the Board of Ed policy. There is still ongoing work for the protocols of what qualifies for extracurricular activities which is relevant for the school nurses.
* Mr. Dwyer reported that the Building Projects Review Committee has not met; however, the effort to move the capital budget ahead a little faster than the operating budget is happening as he last reported. CES did not meet last month.
* Mr. Fattibene reported that the Stratfield Building Committee met and due to a conflict, by the time he arrived the meeting had ended. He did read the minutes and there are two primary issues. One is related to the heating and cooling system that they are going to try to balance; and the other is with respect to one of the invoices related to some cost sharing with the contractor which is under question, and they will resolve that. The project is winding down, there is not much money left and they are trying to close it out at their meeting next month.
* Mrs. Gerber reported that Parks and Rec met the week before February break. The only item with regards to school issues was a presentation by the Fairfield Ludlowe HS Baseball Coach on a proposal to put windscreens and fence capping at the Kiwanis Field where the Fairfield Ludlowe High School Baseball Team plays. There will be no cost to us or the Town. There is a company that sells ad space for the windscreens that will pay for the cost of the windscreen and the installation. It is an incredibly windy site so they are hoping this will help with playability, and once the season is over it will be taken down until the following season. The neighbors are OK with the ads. Mrs. Kennelly asked about the content of the ads and if there is an approval process. Mrs. Gerber stated that the company that does this is locally based, and they are going to appeal to local businesses who will want to appeal to people playing baseball.
* Ms. Iacono reported that the RTM met last night and approved the Riverfield Elementary School Building Committee, an appropriation to get started on the Warde roof and the Meadow Street lease for our Maintenance Department. There was discussion about the Warde Roof Building Committee. The First Selectman is in the process of getting that up and running and Mrs. Kennelly will serve on that for the Board of Ed. The RTM as well as the Board of Finance and the Board of Selectmen want to look at the long-term use of our maintenance spaces, and Mr. Tetreau will be meeting with Dr. Title in April to start to map that out. Mrs. Brand stated that she heard last night that we didn’t have mold at Fairfield Warde and asked if mold testing was done and if there is a recent report. Dr. Title stated that mold testing has not been done. Mr. Liu asked how you know there is no mold if you don’t test. Ms. Iacono stated that in the Board’s Friday Packet there was an Indoor Air Quality Report, and the protocol is not to test for mold. She stated that to her knowledge there are no visible signs of mold in the building; and Dr. Title agreed. Ms. Iacono stated that from everything she has heard by administration and by representatives from the Tools for Schools, all of the protocols are being followed. Mrs. Brand stated that she was on Tools for Schools and is actually inclined to go for the fix rather than the testing. However, she wants to be sure when addressing another Town body that we are confident in our statements and that we can back them up.
* Mrs. Kennelly reported that the Policy Committee met on February 6 and discussed several items. One was the three By-law items which had been passed down to the Policy Committee by this Board and are on tonight’s agenda. The Student Discipline Policy was discussed twice and is on tonight’s agenda for a first read. The final item is the Board of Ed Handbook. The hope is to have a draft with content by March; a second draft in April with May slotted for discussion and approval. Mr. Dwyer would appreciate feedback regarding the Table of Contents because there is no point in filling in the content if Board members are not supportive. Mrs. Brand asked to make sure this was informational only. Mr. Dwyer stated that is correct. This is a document that brings a variety of information together in one place. There were no other Board comments. Ms. Iacono stated that she will take that as Mr. Dwyer is moving in the right direction.
* Mr. Kery reported that he missed a large part of the PTA Council meeting; however, he understands there was a spirited discussion on the budget as well as capital projects, particularly, the Warde roof. When the minutes become available he will forward them to the Board. The Board of Finance voted the $11 million appropriation for the Warde roof, and the RTM approved it last night. The Board of Selectmen/Board of Finance are meeting tonight on Town Capital Projects Non-recurring of which we have $2 million proposed. This Thursday will be the joint Board of Selectmen/Board of Finance meeting on the budget. Mrs. Brand stated that last night there was a question from the RTM to Board of Finance member Mr. Bellitto, who said that he was still waiting for information relative to the roof. Ms. Iacono stated that it was information they were looking for from the architect and the TFC.
* Mr. Liu – No Report.

6. Superintendent’s Report

Dr. Title stated that at last night’s RTM meeting the Moderator, Mr. Steele, mentioned that the RTM was going to have a little different budget review process this year. During the week of April 2, prior to the committee meetings, each department will give a presentation to the full RTM and answer any questions. All of the committees will still meet, but the hope is that by doing it this way, we will only have to go to the Education Committee. All of the details are still being worked out. This has a lot of potential to clear up any misinformation and everyone gets to hear the same information at once. Mrs. Gerber asked if the RTM members received a copy of the questions the Board members asked and the answers received. It may be helpful to preemptively answer questions they may have that have already been asked and answered. Dr. Title stated that the Q&A is on the website, but he could send them a hard copy. Mrs. Brand asked if it is possible to have the RTM Moderator get a copy of the building committee reports so they are kept up to date with what is going on with the building projects. Ms. Iacono stated that she will speak to the Moderator and suggest that he get on the distribution list for the building committee minutes and then he can disseminate the information to his body. That would be better than being the go between.

7. Old Business

1. Update on Understanding on Health Insurance

Ms. Iacono turned this item over to Mr. Dwyer who has, at her direction, been working with the appropriate Town officials and Dr. Title in trying to resolve this.

Mr. Dwyer stated that during the last Board discussion on this item, there were items on the second page of the Memorandum that were of concern to the First Selectman and the Board of Finance Chair. A meeting was held to put together a draft document that the Superintendent, the First Selectman and the Chairman of the Board of Finance could recommend to all three bodies. The document that was sent to the Board reflects the results of that meeting. Two items from page 2 were left in the draft document: (1) Nothing in this Memorandum of Intent on Health Insurance prohibits the Board of Education from making additional contributions to its health insurance account at any point in a given fiscal year; and (2) that it is not the intent of the Board of Selectmen to be directing the Board of Ed and we maintain control over our individual line items as per state law and as we always have. Mr. Dwyer stated that he spoke with Mr. Fattibene about this and he suggested a little stronger language so that was put in the draft. That is the summary of the changes between the draft the Board last looked at and the one that is currently being circulated. The goal is to have the Board of Finance and Board of Selectmen review it at their March and April meetings and get their comments back to the Board of Ed.

Mrs. Brand asked who the person or body is that is proposing this. Mr. Dwyer stated that his goal was to have a document that the Superintendent of Schools, the Chair of the Board of Finance and the First Selectman would be comfortable saying all three of us agree on this draft. He personally wanted a document that wasn’t a one sided document; one that all three could say this is a good working draft. Ms. Iacono stated that she thinks it is a collective proposal. Mrs. Brand stated that if the other Town bodies are looking at this, she wants them to be clear that this is not a Board approved draft. Mr. Dwyer stated that he will find a way to make sure the other Town bodies know that this is only coming from the three officials and not from the respective boards.

Mr. Liu commented on the old MOU and that these should be two separate documents and not tied together. The old MOU was never approved by any Board of Education; and this Board should start with a clean slate in order to have good faith.

1. Discussion and possible action on Board of Education By-Law items that were postponed from the December 13, 2011 Board of Education Meeting

Mrs. Kennelly stated that the Policy Committee met and discussed the three items on Enclosure No. 5.

Agenda & Enclosures – Mrs. Dyer spoke to the committee regarding the time involved in preparing the agenda and collecting the enclosures. She did not see a problem in getting the agenda sooner, but getting the enclosures sooner might be more difficult. Mrs. Kennelly asked about the months where there is only one Board meeting, and Mrs. Dyer agreed that would be far easier to do but in the months with multiple meetings it would be more difficult. There was no sense from the three committee members; we just wanted to get information to bring back for discussion at the Board table.

Mr. Liu stated that there is no problem with the timing of when the Board gets the agenda and enclosures if there are two meetings a month. This only came up because the Board has gone to one meeting per month. According to our By-laws #8510, which were never changed, we are supposed to have two meetings a month, and he thinks the only way to solve this is to try to go back to that.

Mrs. Brand commented that this speaks to having sufficient time to review materials. In the past there was a regular meeting on the second Tuesday of the month and then a business meeting on the fourth Tuesday of the month, and she would prefer having two shorter meetings to allow sufficient time for the Board to review and deliberate on items.

Meeting Minutes – As a group, the Policy Committee was not in favor of limiting the meeting minutes. When only actions are recorded, it doesn’t capture the sense of the meeting. Mr. Fattibene stated that the discussion and the consensus was that the minutes should accurately reflect the meeting and should characterize who brought up what points. There should be a fair representation of the discussion at the Board meeting not just the favorable comments or the ones that are supportive of certain issues but they should be a fair representation. The minutes are for the purpose of the record and that record should be clear so that when going back a year or two later you have a good indication as to what actually transpired and that is an important record to maintain.

Reports – This might involve a policy change, but it didn’t rise to the level of a By-law change. Dr. Title was willing to take this on as part of his Superintendent’s Report. There is so much going on at the state level and while the Board does get certain CABE reports, it is good to have it explicitly reported to the Board. The Policy Committee was satisfied with having Dr. Title reporting.

8. New Business

1. First Reading of Policy #5119 – Student Discipline, Revised

Dr. Title stated that there are two reasons for this policy revision. One is that there have been changes in the State law with respect to in-school and out-of-school suspension and our policy needed to be updated. Mrs. Parks reviewed this with our attorney and those changes are now reflected in this policy. The other issue has to do with using a Hearing Officer for expulsions. The current policy is that if we can get five Board members to hear an expulsion, then a Board panel hears it; if not, then a Hearing Officer hears it. The experience has been that 95% of the time it has been a Hearing Officer. A Hearing Officer is experienced in expulsion cases and gives consistency from case to case. The feeling was that it shouldn’t be random as to which student gets the Board members and which one gets the Hearing Officer. The rest of the changes just clarify the language if we are going to use a Hearing Officer. Dr. Title stated that he thinks the time has come to move to a Hearing Officer for expulsions.

Mrs. Kennelly stated that the Policy Committee recognized the merits of needing consistency and the availability of Board members since there is a time crunch involved with an expulsion. There has to be a fast turnaround time.

Mr. Fattibene stated that originally it was three members of the Board of Education that were required to hear an expulsion, and by Statute three affirmative votes are needed in order to expel a student. Last year it was changed to five members, which is harder to assemble than three. Now moving to no Board members is of concern to him. He is reluctant to see the obligation of the Board being removed from them and put into a Hearing Officer’s hands.

Mrs. Brand stated that she supports this and thinks this is the way to go. She would like to have a record of the number expulsions and the location of the schools sent to the Board, so the Board has a sense of what is going on in the district.

Ms. Iacono stated that she was on record last year and still feels that it is a responsibility of the Board to hear what is going on in the school communities. When she first joined the Board, expulsions were heard in the evening and it was easier to get a quorum of the Board at night. They now only seem to take place during the day. She also agreed that getting five Board members is harder to achieve than three, especially since they are only being heard during the day now. She stated that she will not be voting in favor of this because she thinks it is the Board’s responsibility to hear these. She would like to go back to evening expulsions where the full Board hears them and by Statute only three Board members need to be present.

Dr. Title stated that the reason for having them during the day is that we often need school-based personnel or other personnel who only work during the day to testify; and if we are going to have them at night, we are going to pay extra. It also has to do with attorney availability and the turnaround time. Often there is something that the Hearing Officer will simply stipulate to because it is in the best interest of everybody. Dr. Title stated that in a district this size, for the consistency of who is going to be there, this is the way to go. He urged the Board to adopt these changes.

Mrs. Kennelly reminded everyone that there are two issues: in-school and out-of-school suspension and a Hearing Officer for expulsions.

Mr. Kery asked if there are other types of discipline other than suspending and expelling. Dr. Title stated that there are other types of discipline, and they are outlined in the student handbooks. The Board’s policies have to govern suspension and expulsion.

Mr. Kery stated that there needs to be consequences for both the predator and the bystander if we are going to make an impact on bullying. Dr. Title stated that on page 6 of this policy, there is a paragraph on bullying and there is also the Bullying Policy. Mr. Kery stated that there are three players; the predator, the bystander and the victim; and the predator is acting for the bystander so the bystander needs to be part of the process in terms of discipline. He asked for the Policy Committee in conjunction with the administration and future discussions about discipline to start to incorporate bystanders in terms of discipline that might not rise to the level of suspension. Dr. Title stated that he will turn this over to Andrea to address in the policies. Mr. Kery stated that he would like there to be consequences and would like the students to be on notice that their participation in these types of things will be dealt with consequences.

This policy will be on the next Board agenda for approval.

1. Public Comments and Petitions –

Leeann Ratner, PTA Council President, invited everyone to the March 7th PTA Council meeting at 7 p.m. when the Brian Fagan Awards will be presented to six Fairfield teachers. Immediately following will be a presentation on the Education budget and there will be representatives from the Board of Selectmen, Board of Finance, RTM and central office to answer questions.

Kelly Crisp, Harbor Road, commented on the student discipline policy and that there seems to be a disconnect because if a student is expelled for sale or distribution of a controlled substance they are referred out, but nowhere in the policy does it indicate that teachers are mandated reporters. If a student is expelled, that student should be reported to social services. She would like to see something that says we are mandated reporters; we have a legal obligation to report education deprivation or deprivation of any kind.

1. Open Board Comment – None

11. Mrs. Brand moved, seconded by Mrs. Kennelly that this meeting of the Board of Education adjourn at 7:27 p.m.

Motion carried: 8:0:0.

Jessica Gerber

Secretary